



Closing Remarks at the Conference To Honor the Work of Professor Michael Reisman

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I am enormously appreciative to be asked to make these closing remarks.

In the first panel it was rightly stated that Michael the lawyer cannot be separated out from Michael the man. I shall use these concluding remarks to speak of Michael's sense of commitment and duty. I shall mention what I see as coming out of Michael's self-description this morning of a growing internationalization and detribalization on his part. And then I'll try to bring things back to where they started—Yale.

Michael has always been—as all international lawyers must surely be—committed to human rights. Nor could it be otherwise for one so involved with the promotion of the role of human dignity as a value to shape legal decisionmaking. But at the same time, I believe that Michael would have seen himself as a generalist international lawyer, much interested in human dignity, rather than as a specialised human rights lawyer.

So it was perhaps with a certain reserve that he found himself stepping in to be elected to a part-term seat at the Inter-American Commission on Human Rights in August 1990. He attended his first session from September 24 to October 5, 1990, but was then re-elected to serve a full four-year term until the end of 1995. As a member of the Commission he participated in missions to Peru, Guatemala, and Colombia.

In 1994 he was elected as Chairman, traditionally a one-year post. And he entered upon this year with his customary commitment and quiet vigour. I know from what he has said to me in the past that he found it, at the personal level, initially difficult work and then a very important year. During his chairmanship he led missions to Haiti, Ecuador, the Bahamas, and Jamaica, each requiring much effort in preparation and execution.

Those close to the Commission's work regard as having very particular importance the pioneering decisions that the Commission took under Michael's chairmanship, which held the amnesty laws of Argentina and Uruguay to be incompatible with those states' obligations under the American Convention.¹ These decisions generated, as you may imagine, much heat and

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1. *Consuelo v. Argentina*, Cases 10.147, 10.181, 10.240, 10.262, 10.309 & 10.311, Inter-Am. C.H.R., Report No. 28/92, OEA/Ser.L/V/II.83 doc. 14, at 41 (1993); *Mendoza v. Uruguay*, Cases 10.029, 10.036, 10.145, 10.305, 10.372, 10.373, 10.374 & 10.375, Inter-Am. C.H.R., Report No. 29/92, OEA/Ser.L/V/II.83 doc. 14, at 154 (1993).

controversy at the time. But these findings were to provide the foundations for later action, which consolidated the positions taken in Michael's amnesty cases.

Thus, in 2001, the question of Peru's amnesty was taken by the Commission to the Inter-American Court. This was the *Barrios Altos* case, and in its judgment of March 14, 2001, the Court held on the same grounds that had been articulated in the earlier Commission decisions regarding Argentina and Uruguay during Michael's chairmanship, that Peru's amnesty laws were incompatible with the American Convention, and that they lacked legal effect.² President Fujimori had already fled the country, and the judgment was not opposed by the new interim government.

Chile, as is generally known, had also introduced what we may term a "self amnesty law." This, too, was taken by the Commission to the Court, and on September 26, 2006, the Court issued a comparable judgment in the *Almonacid* case.³ That law remains unrepealed, though it seems within the country no longer to be regarded as an impediment to prosecutions for the massive human rights violations of the Pinochet era.

And Argentina has, through a Supreme Court judgment in 2005, actually repealed its amnesty laws, specifically relying on the Inter-American Court's holding in the *Barrios Altos* case.⁴

The story is, of course, still an ongoing one, but Michael is entitled to look back on this Inter-American human rights interlude in his professional life, and feel that significant things were done and judicial seeds of real importance to those who had suffered were sown.

It is clear that all of us here regard Michael Reisman as a phenomenon. But he is also an extraordinarily decent human being. This is manifested in myriad ways: in the care he takes of his students; in the support he continues to give them (even after they have left Yale, just as did Myres McDougal before him); and in so many other ways.

And if he undertakes something, he makes a commitment to that undertaking that is more than wholehearted. This is nowhere more exemplified than in his relationship with the American Society of International Law.

His services to the American Society of International Law are simply outstanding. It is to be hoped that a member of the Editorial Board of the *American Journal of International Law* (*AJIL*) will find time each year to write a short comment or to make some other written contribution. And I have certainly had the impression over the years that Michael has more than honored this expectation. Indeed I have been the fortunate recipient of many offprints of his *AJIL* contributions. So I thought I would run a check on what he has published in the Journal.

2. *Barrios Altos v. Peru*, 2001 Inter-Am. Ct. H.R. (ser. C) No. 75 (Mar. 14, 2001).

3. *Almonacid-Arellano v. Chile*, 2006 Inter-Am. Ct. H.R. (ser. C) No. 154 (Sept. 26, 2006).

4. Corte Suprema de Justicia [CSJN], 14/6/2005, "Simón, Julio Héctor y otros s/ privación ilegítima de la libertad," Fallos (2005-328-2056) (Arg.).

The result has proved simply staggering. Ever since 1967, Michael has written a steady stream of pieces, some short and pithy, others long scholarly articles. But the sheer volume of his *AJIL* contributions and their quality *and* interest is really astonishing. On my count, between 1967 and present time we are looking at nearly *sixty* pieces—and this is in *AJIL* alone. I am not speaking of his contributions to other journals, or chapters in books, or indeed entire books. And there are some ten further papers prepared for annual meetings of the American Society of International Law.

Michael's writings in *AJIL* have focused on the great themes of the day—on use of force problems, such as the question of preemptive self-defence—on regime change, on U.N. constitutional issues, on claims for the need to revise the laws of war, on the International Criminal Court, on Kosovo, and on Afghanistan. He has also shown an interest in indigenous rights, in the role of the media in the realm of human rights, and in purported unilateral treaty terminations.

For me, several points come clearly through. The first is that there is a clear sense of “assumed responsibility”: such contributions are what a member of the Journal *should* do, and that is all there is to it. The second is that the ground covered is impressively broad, even while the analysis is deep. The third is that one of many reasons why it is always interesting to read Michael's pieces is that you do not know in advance what his conclusions will be. With some writers—as with some Judges, I may say—one always knows in advance the points they will be making, the position they will be taking. That is not the case with Michael. The research is always scholarly, the mind is open, and the conclusions invariably interesting—and often contrary to the stereotypes envisaged by those who do not understand the Yale School. I think of his *AJIL* article with Myres McDougal supporting sanctions in Ian Smith's Rhodesia,⁵ and of his 1989 article, *The Arafat Visa Affair: Exceeding the Bounds of Host State Discretion*.⁶

Michael has done much else within the American Society. There have been honors, of course—the Certificate by Merit in 1994 for *Systems of Control in International Adjudication and Arbitration* (1993)⁷ and the Manley Hudson Medal in 2004. But he has characteristically taken on the burdens, too—chairing the Honors Committee and the Awards Committee (I sat on the latter and remember very clearly the thoughtful multiparty phone conversations he conducted, full of respect for committee members and for candidates alike). He has been a member of the Society's Executive Council and is today a Counsellor. Above all, he was in the years 1998 to 2003 the Editor-in-Chief of *AJIL*. This is not a job for the fainthearted. It entails an extraordinary amount of reading and a prodigious amount of related work. All

5. Myres S. McDougal & W. Michael Reisman, *Rhodesia and the United Nations: The Lawfulness of International Concern*, 62 AM. J. INT'L L. 1 (1968).

6. W. Michael Reisman, Editorial Comment, *The Arafat Visa Affair: Exceeding the Bounds of Host State Discretion*, 83 AM. J. INT'L L. 519 (1989).

7. W. MICHAEL REISMAN, *SYSTEMS OF CONTROL IN INTERNATIONAL ADJUDICATION AND ARBITRATION* (1992).

Journal editors are heroes in my eyes. Michael was a much-respected editor, doing all his work quietly, with meticulous care, and with significant success.

One has to remember that all this writing and editing for the American Society was going on in parallel with an extraordinary output of high-quality writing elsewhere. He has written on international commercial arbitration, as well as being in action as a practitioner. He has been immensely generous in his contributions to *Festschriften*, and has so thoughtfully tailored his writings to the person being honored. The piece he and Mahnoush contributed on artisanal fishing to Tom Mensah's *liber amicorum* is a case in point.⁸ He has been ready to honor Cherif Bassiouni, Luzius Wildhaber, Yoram Dinstein, Lucius Caflisch, Christian Tomuschat, and Toy Feliciano, among others.

There is a considerable body of writing done jointly with Mahnoush, who surely knows that today honors her, too. And there have been occasional pieces co-authored with others.

I have not had the experience of co-authoring with Michael—perhaps it was geographical separation or perhaps he would have been appalled by the idea! But I am very proud that in 1998, Michael and I, together with Dick Falk and Burns Weston, *jointly* paid our tribute in *AJIL* upon the passing of Myres McDougal.⁹

I want to say some words about Michael Reisman's contribution to international law as a practitioner.

Michael has for long, long years been engaged in practice. When he was so much at the right hand of Myres McDougal, and Mac was in his prime and sought after, *inter alia*, for his opinions in cases under litigation or in pending arbitrations, that legal work was often done with Michael as co-counsel.

In due course, and in the natural way of things, Michael himself was sought after for written advice or also as counsel. The sheer size of his written practice is very impressive. He was involved as counsel in the *Guinea v. Guinea Bissau* maritime boundary delimitation (1985);¹⁰ in the Advisory Opinion No. 14 in the Inter-American Court of Human Rights;¹¹ in the *Genie Lacayo case*¹² in that same Court; in the International Tribunal for the Law of the Sea case of *Malaysia v. Singapore* in 2003;¹³ and in the *Barbados/Trinidad and Tobago*¹⁴ arbitration of 2004-05 at the Permanent

8. W. Michael Reisman & Mahnoush H. Arsanjani, *Some Reflections on the Effect of Artisanal Fishing on Maritime Boundary Delimitation*, in *LAW OF THE SEA, ENVIRONMENTAL LAW AND SETTLEMENT OF DISPUTES: LIBER AMICORUM JUDGE THOMAS A. MENSCH* 629 (Tafsir Malick Ndiaye & Rüdiger Wolfrum eds., 2007).

9. Richard A. Falk, Rosalyn C. Higgins, W. Michael Reisman & Burns H. Weston, Comment, *Myres Smith McDougal (1906–1998)*, 92 AM. J. INT'L L. 729 (1998).

10. Affaire de la Délimitation de la Frontière Maritime [Delimitation of the Mar. Boundary] (*Guinea v. Guinea-Bissau*), 19 R. Int'l Arb. Awards 149 (1985).

11. International Responsibility for the Promulgation and Enforcement of Laws in Violation of the Convention, Advisory Opinion, 1994 Inter-Am. Ct. H.R. (ser. A) No. 14 (Dec. 9, 1994).

12. *Genie Lacayo Case*, 1995 Inter-Am. Ct. H.R. (ser. C) No. 21 (Jan. 27, 1995).

13. Land Reclamation by Singapore in and Around the Straits of Johor (*Malay. v. Sing.*), Request for Provisional Measures, in 7 INTERNATIONAL TRIBUNAL OF THE LAW OF THE SEA, REPORTS OF JUDGMENTS, ADVISORY OPINIONS AND ORDERS 10 (2003), available at http://www.itlos.org/case_documents/2003/document_en_230.pdf.

14. Delimitation of the Exclusive Economic Zone and the Continental Shelf (*Barb. v. Trin. & Tobago*), 27 R. Int'l Arb. Awards 147 (Perm. Ct. Arb. 2006).

Court of Arbitration. He advised in many more cases, and was an expert witness in yet others.

I had the pleasure of listening to Michael in the International Court of Justice, both in the *Qatar v. Bahrain* case at the merits phase (2001)¹⁵ and in his application on behalf of the Philippines for permission to intervene in the *Pulau Ligitan and Pulau Sipadan* case.¹⁶ I remember the latter particularly clearly, admiring the low-key, unshowy, conversational style of pleading—impressively learned and analytical.

But it has really above all been as an arbitrator that Michael has made his most important contributions. A handful of these started in the 1980s and 1990s. But the sheer quantum of his service as arbitrator since the turn of the century has been huge any standards.

Everyone knows—not least because his fellow arbitrators have made it clear—of his massive contribution in the recent *Eritrea v. Ethiopia* boundary arbitration,¹⁷ so valiantly chaired by Eli Lauterpacht, who with his colleagues made every effort to secure the outcomes determined by the Tribunal. And for the past week he has been in The Hague hearing the oral pleadings in *The Government of Sudan/The Sudan People's Liberation Movement/Army (Abyei) Arbitration*.¹⁸ He shortly returns there.

Michael Reisman seems able to turn his hand to anything and everything. I am absolutely sure that the phrase “not my field, I am afraid” has never passed Michael’s lips because whatever legal requests are made of him, these are already, or in very short order will have been made, “his field.” Thus it is that he is equally at ease in highly commercial and financial fields of law, perhaps more usually the domain of private international lawyers, as in areas more familiar to the general public international lawyers.

Many have written—Michael Reisman among them—about the complex, curious, and sometimes unsatisfactory world of international arbitration that exists today. For today’s purposes, it suffices to say that it is widely agreed that on a range of important themes—themes which arise again and again—divergent answers have been given by different tribunals. And it is thought that a contributory factor to this has been that commercial and private law experts, whose practice has certainly led them to know some public international law, have been important players in the rendering of these (often divergent) pronouncements. The parties to disputes where such points will inevitably again arise are increasingly looking to the possibility of some of these matters being now authoritatively settled—and that, they think, means by leading international lawyers.

For this, and other reasons, he is today not only a heavily sought-after arbitrator, but indeed a “chairman of choice” for arbitrators who have already been appointed by state parties, who are looking for a chairman who has high

15. Delimitation and Territorial Questions (*Qatar v. Bahr.*), 2001 I.C.J. 40 (Mar. 16).

16. Sovereignty over Pulau Ligitan & Pulau Sipadan (*Indon. v. Malay.*), 2002 I.C.J. 625 (Dec. 17) (Application to Intervene by Phil. of Mar. 13, 2001).

17. Delimitation of the Border Between Eritrea and Ethiopia (*Eri. v. Eth.*), 25 R. Int'l Arb. Awards 83 (*Eri.-Eth. Boundary Comm'n* 2002).

18. See Permanent Court of Arbitration, *Sudan v. Sudan People's Liberation Movement/Army (Abyei Arbitration)*, http://www.pca-cpa.org/showpage.asp?pag_id=1306 (last visited Apr. 29, 2009).

competence in *all* the various themes that so often arise in international arbitrations, and whose personality and skills will guide the work at hand.

While this certainly is not the place to dissect the *Bank for International Settlement* and *OSPAR* Awards,¹⁹ both of which he presided over, some brief mention is warranted to illustrate the particular points I have been making. The unanimous *Bank for International Settlement (BIS)* Awards—the so-called Partial Award on procedural and substantive matters, and the Final Award on valuation—contain a multitude of important findings and determinations important for our field. The *BIS* Partial Award of 2002 is perhaps the most significant since the *International Tin Council* litigation and the *Westland Helicopters* arbitration and litigation,²⁰ on matters relating to the law applicable to acts of international persons, both generally and very specifically; and on the concomitant issues relating to their powers, particularly as regards their own constituent instruments. This Award is also widely welcomed for bringing clarification (which should indeed be regarded as authoritative clarification) on the freestanding character of state-private claimant arbitrations. Claims that were made relating to the need for state intervention or diplomatic protection, so far as private claimants are concerned, are very clearly responded to, in the negative.

Considerable technical competence was needed to advance the resolution of issues relating to valuation. And the international law on the matter—which is already very rich—has been developed further in certain important regards. I may add that the procedural determinations made in these cases have attracted appreciation in the profession, being important beyond the confines of this case.

Michael was chosen by the two state appointed arbitrators to preside over the *OSPAR* 2003 Award. This, of course, was the “first leg” in the Ireland-U.K. litigation (*MOX*). This was decided by majorities of 2-1, with the composition of those majorities changing on particular issues, though on what we may call the central issue, Gavan Griffith, appointed by Ireland, dissented.²¹ That central issue was whether Article 9 of the *OSPAR* Convention (which contained certain obligations, and which carried its own exceptions) required the United Kingdom to have provided certain information requested by Ireland, or rather required by the United Kingdom to have established a certain domestic regime.

19. *Reineccius v. Bank for Int'l Settlements*, Final Award (Perm. Ct. Arb. Sept. 19, 2003), available at http://www.pca-cpa.org/showpage.asp?pag_id=1157; *Reineccius v. Bank for Int'l Settlements*, Partial Award (Perm. Ct. Arb. Nov. 22, 2002), available at http://www.pca-cpa.org/showpage.asp?pag_id=1157; Access to Information Under Article 9 of the *OSPAR* Convention (*Ir. v. U.K.*), Final Award (Perm. Ct. Arb. July 2, 2003), available at <http://www.pca-cpa.org/upload/files/OSPAR%20Award.pdf>.

20. *Westland Helicopters Ltd. v. Arab Org. for Industrialisation*, [1995] Q.B. 282 (U.K.); *J.H. Rayner Ltd. (Mincing Lane) v. Dep't of Trade & Indus.*, (1990) 2 A.C. 418 (H.L.) (U.K.).

21. In his declaration, Michael Reisman explained that he “did not concur” with “the majority’s interpretation of Article 9(1)” of the *OSPAR* Convention and that “Ireland’s proposed interpretation . . . should have been rejected.” Access to Information Under Article 9 of the *OSPAR* Convention, *supra* note 19, at 60 (declaration of Professor W. Michael Reisman).

I find this Award interesting for reasons that are perhaps different from the usual ones. It is clear the Tribunal held that its jurisdiction *ratione materiae* extended only to parties' obligations under the OSPAR Convention, and not under other Conventions. But it did *not* say—contrary to the belief of some commentators—that OSPAR was a “self-contained” regime, an idea that I believe would be anathema to Michael. It is still firmly located within customary international law.

The Award is of interest especially as regards the question of what other than the law to be applied *ratione materiae* may still be “looked at” for illumination—a frequent problem. It also held that the requirement in Article 32(6)(a) of the OSPAR Convention, which states that disputes be settled in accordance with international law, does not thereby create a comprehensive legal regime that essentially “overrides” specific law applicable *ratione materiae*. As one who opposed the Court's finding in the *Oil Platforms* case²² that the reference to Article 31(3)(c) of the Vienna Convention on the Law of Treaties did exactly that, introducing the very matters that had already been rejected at an earlier phase as falling within the Court's jurisdiction *ratione materiae*, I am necessarily very supportive of this analysis.

I conclude this section of my remarks by saying that Michael—who is not a professional arbitrator, and who still thinks of himself as above all an academic—sits in an astonishing number of arbitrations and is in demand as chairman in particularly heavy and complex arbitrations. The parties and their appointed arbitrators are right in thinking that matters could not be in better hands.

I myself was at Yale from 1959 to 1961. It was not during those years that I met Michael, who was just a little bit my junior in age. But I had become very close to Mac and I heard very soon after about Michael and what a great future Mac saw for him. Myres McDougal was undoubtedly what brought Michael and me together as friends.

Myres McDougal died in 1998. Work brought me back very frequently to the States after I concluded my doctorate. And, during Mac's life, I was never, ever, in the States without going up to Yale to see Mac. Because work—usually at the United Nations—would be keeping me busy midweek, my visit to Yale was very usually scheduled for on Sunday. Mac would invite me to lunch at the Lawn Club. In the event, it was always a *ménage à trois*. Michael would be there too—no doubt in the earlier years because Mac no doubt thought, quite rightly, that there would then be much interesting conversation between the three of us.

In the later years, it was not possible for Mac to engage in these social events without the assistance of Michael, who was always readily at hand. Our lunch conversations were always interesting, ranging over what we were each working on at that time, different personalities (Mac loved to gossip), and the great issues of the day. I could not but notice that as the years rolled on that Mac had less that he wanted to say and deferred increasingly to what Michael might think on this or that topic.

22. *Oil Platforms (Iran v. U.S.)*, 2003 I.C.J. 161 (Nov. 6) (separate opinion of Judge Higgins).

Mac had seen early the potential and the character of this young scholar. And Michael had seen the intellectual greatness and the exceptional humanity of his benefactor. I was very touched by their relationship. Mac had undoubtedly done much in Michael's intellectual formation and career progression. And, right to the end, Michael was there for Mac every minute of every day, attending to his needs with that same intense, caring respect that I think so exemplifies his character.

I came to know Mahnoush a little later, but now long years ago. They have made an extraordinary pairing—each so admiring of, and supportive of, the work of the other. Each has had important, distinct careers, and intermittently, and increasingly, they have together turned their attention jointly to some writing or other project. I think of the marvellous visits Terry and I have made to their Connecticut home, with the conversation ringing in one's ears long after. And, in more recent years, I think of the special lunches and dinners together around Geneva, when work brought us all together there in summertime.

Mahnoush has now left the United Nations, after a career there of remarkable service. None of us doubt how important she has been—and is—in Michael's life, far beyond the periodic joint authorship of writings. So very much has happened since the early 1960s, and Michael's career has taken him in wonderfully diverse directions, with global recognition. But I think I should still say some words about where it all began, and Michael's place in the Yale School of International Law.

It will be good to go back to the beginnings.

By that I mean, of course, Michael's relationship with both Harold Lasswell and Myres McDougal. Because Harold Lasswell was a political scientist, and because he did not live the very long life that was given to McDougal, it is easy to let drop from sight the pivotal role he played in formulating with McDougal the ideas and jurisprudential methodology that have become renowned as the Yale Law School policy science approach to international law.

Michael's first contacts with Lasswell and McDougal were exactly during those years when they were bringing their joint venture towards fruition. He was very early identified by Mac as someone of exceptional ability, who would become very important in the world of international law. Michael was indeed marked forever by his exposure to these intellectual giants. And that is true of many of us here today, myself included.

Michael said this morning, with characteristic modesty, "I was the legatee and not the founder of the New Haven School."

But it is also the case that the work that Michael did in those early years, contributed significantly to the articulation, across a range of publications in the early 1960s of the policy science approach. He came to be much relied on by Mac and Lasswell not only as a researcher during these critical formative years, but as a contributor to their great enterprise.

A number of persons have had the exceptional experience of writing books during this period with Myres McDougal—Toy Feliciano, Bill Burke, Lung-chu Chen, James C. Miller, and Ivan A. Vlasic. But it is Michael who

was constantly at McDougal's side through these years. He wrote with McDougal the obituary for Harold Lasswell in the 1979 *AJIL*.²³ It was he who organised in 1976 the book in honor of McDougal: *Toward World Order and Human Dignity*.²⁴ In 1981 he published with McDougal their casebook *International Law in Contemporary Perspective: The Public Order of the World Community*,²⁵ and in 1987 their partnership continued with the publication of *Jurisprudence: Understanding and Shaping Law: Cases, Readings, Commentary*.²⁶ These are among the visible contributions to this school of legal philosophy. There will be so very much more, day in and day out, that cannot be counted by the evidence of publications.

If Michael was an important contributor to the Lasswell-McDougal jurisprudence, he has also been its clearest articulator. Michael has provided the bridge to the world of international law at large, successfully there translating and applying the concepts and ideas of the Yale School.

It should not be thought—and I want to say this plainly—that exposure to the policy science approach to law is something that happens in one's youth, and then is left behind as one climbs up the greasy pole of a successful career in the "real world" of international law. I can give you two small pieces of evidence. The first is Michael's interesting publication just last year in the *Maine Law Review of Development and Nation-Building: A Framework for Policy-Oriented Inquiry*.²⁷ It is, of course, the essence of the policy-oriented approach that it is applicable to *any* type of law and to any type of issue, and here Michael shows that the issues surrounding sustainable development are not a random set of factors, but can be analysed systemically if one has the tools. And a few weeks ago I found myself participating in a conference on "The United Nations and Global Values." It was clear to me that the term "values" was being thrown around like confetti. As I prepared my conference paper—as usual, up against time deadlines—I e-mailed to Michael: "What is the difference between 'shared values' in the policy science sense and 'desired outcomes' used more generally"? Michael prudently did not assay an answer, but immediately e-mailed back a reference to a particular passage in a particular article by McDougal.

He remains the keeper of the flame, the one among us with probably the most profound understanding of what had instinctively attracted us as our ideas were being shaped.

I shared with everyone the sense of privilege in being able to listen to the statements honoring him and to say these things directly to him.

23. Myres S. McDougal & W. Michael Reisman, Editorial Comment, *Harold Dwight Lasswell (1902-1978)*, 73 AM. J. INT'L L. 655 (1979).

24. TOWARD WORLD ORDER AND HUMAN DIGNITY: ESSAYS IN HONOR OF MYRES S. MCDUGAL (W. Michael Reisman & Burns H. Weston eds., 1976).

25. MYRES S. MCDUGAL & W. MICHAEL REISMAN, INTERNATIONAL LAW IN CONTEMPORARY PERSPECTIVE: THE PUBLIC ORDER OF THE WORLD COMMUNITY (1981).

26. See W. MICHAEL REISMAN & AARON M. SCHREIBER, JURISPRUDENCE: UNDERSTANDING AND SHAPING LAW (1987) (containing numerous writings by McDougal).

27. W. Michael Reisman, *Development and Nation-Building: A Framework for Policy-Oriented Inquiry*, 60 ME. L. REV. 309 (2008).

